

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q78691

NODA, Takao, et al.

Appln. No.: 10/743,873

Group Art Unit: 1751

Confirmation No.: 9340
M.

Examiner: VIJAYAKUMAR, Kallambella

Filed: December 24, 2003

For: **CATHODE ELECTROACTIVE MATERIAL, PRODUCTION METHOD THEREFOR
AND SECONDARY CELL**

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents, other than any U.S. patents and patent publications, is submitted herewith.

The present Information Disclosure Statement is being filed (without a Statement Under 37 C.F.R. § 1.97(e)) after the later of three months from the application's filing date and the mailing date of the first Office Action on the merits, but before a Final Office Action, Notice of

INFORMATION DISCLOSURE STATEMENT
U.S. Appln. No.: 10/743,873

Allowance, or an action that otherwise closes prosecution in the application (whichever is earlier), and therefore a check for the fee of \$180.00 under 37 C.F.R. § 1.17(p) is attached.

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant encloses herewith an English language Patent Abstract of Japan for JP 9-86933 and points out that the listed U.S. Patent No. 5,807,646 corresponds to the listed JP 9-86933. In addition, the listed Japanese document is discussed at page 2 of the present specification. (Applicants note that the copy of JP '933 submitted herewith was obtained as a printout from the Japanese Patent Office website, and that the bottom lines on a number of the pages of the submitted copy did not fully print out).

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

Respectfully submitted,

Sheldon I. Landsman

Sheldon I. Landsman
Registration No. 25,430

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Date: October 1, 2004

<p>Substitute for Form 1449 A & B/PTO <i>OCT 01 2004</i> INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i></p>		<p><i>Complete if Known</i></p> <table border="1"> <tr> <td>Application Number</td> <td>10/743,873</td> </tr> <tr> <td>Confirmation Number</td> <td>9340</td> </tr> <tr> <td>Filing Date</td> <td>December 24, 2003</td> </tr> <tr> <td>First Named Inventor</td> <td>NODA, Takao</td> </tr> <tr> <td>Art Unit</td> <td>1751</td> </tr> <tr> <td>Examiner Name</td> <td>VIJAYAKUMAR, Kallambella M.</td> </tr> <tr> <td>Attorney Docket Number</td> <td>Q78691</td> </tr> </table>		Application Number	10/743,873	Confirmation Number	9340	Filing Date	December 24, 2003	First Named Inventor	NODA, Takao	Art Unit	1751	Examiner Name	VIJAYAKUMAR, Kallambella M.	Attorney Docket Number	Q78691
Application Number	10/743,873																
Confirmation Number	9340																
Filing Date	December 24, 2003																
First Named Inventor	NODA, Takao																
Art Unit	1751																
Examiner Name	VIJAYAKUMAR, Kallambella M.																
Attorney Docket Number	Q78691																
Sheet	1	of	1														

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

NON PATENT LITERATURE DOCUMENTS

Examiner Signature _____ **Date Considered** _____

***EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kind Codes of USPTO Patent Documents at www.uspto.gov, MPEP 901.04 or in the comment box of this document. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to indicate here if English language Translation is attached.